



DIVISION OF PLANNING FREDERICK COUNTY, MARYLAND

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To: Board of County Commissioners

FROM: Eric Soter, Director, Division of Planning

DATE: April 20, 2010

RE: Village Center Zoning District Footprint Modification Text Amendment (ZT-09-08)

ISSUE

In light of the recent adoption of the April 2010 Comprehensive Plan for Frederick County, should the BOCC take final action on ZT-09-08.

BACKGROUND

During discussions in 2009 related to the Draft Comprehensive Plan, the BOCC considered the development of parcels within the Village Center zoning district with institutional structures larger than 8,000 square feet as permitted with Planning Commission approval. This issue came to light regarding the potential for a Village Center zoned future Urbana YMCA site and the restrictions regarding 8,000 square feet which would inhibit construction of the facility as planned. Although initially related to the YMCA site, the BOCC considered how this issue related to all institutional facilities which may, by nature of the use, necessitate larger structures than typical commercial uses.

For these reasons the BOCC directed Staff to initiate a text amendment to permit the Planning Commission to increase the maximum footprint above 8,000 square feet for institutional uses located within growth area communities. The Planning Commission held a public hearing on December 16, 2009 and recommended approval of the proposed text amendment to address the issues as noted above. However, discussion at the public hearing included concern by Planning Commission members as well as the public regarding the fact that there would be no limitation on the square footage that may be approved for a structure, the lack of compatibility that a larger structure would have with existing Village Center development, and the associated negative impacts that may accompany a larger structure.

The BOCC held a public hearing on February 16, 2010 to consider the text amendment and associated issues. At the hearing, many of the same concerns were expressed as heard by the Planning Commission. In addition, representatives of the YMCA expressed concern that the text amendment did not meet their needs. Based on this input and the lack of consensus on the text amendment by the BOCC, the Board directed Staff to table the topic and return with several other options to address the expressed concerns.

Staff presented several options during subsequent meetings related to the Draft Comprehensive Plan. During these discussions outstanding issues related to the YMCA site were resolved.

Based on these events, the concerns expressed as part of public comment, and the lack of consensus and support by the BOCC for the text as written, Staff requests direction regarding the outstanding amendment.

Additional copies of the packet related to the February 16, 2010 BOCC public hearing and public comment received, were not included as attachments to this staff report. If you are unable to locate previous packets related to ZT-09-08 please contact staff and a copy will be provided for your reference. Information related to this text amendment can be accessed via the <http://www.frederickcountymd.gov/index.aspx?nid=3342>.

STAFF RECOMMENDATION

Although this amendment would have presented additional development options beyond what was contemplated by the YMCA site, Staff recommends denial of the text amendment with no further rewrite of this portion of the zoning ordinance at this time.